

Julie Cleary
Official Court Reporter

ROBERT T. JOHNSON, ESQ.
District Attorney, Bronx County
BY: GABRIELLE SUSIREAN, ESQ.
Assistant District Attorney

A P P E A R A N C E S :

B E F O R E : HONORABLE MEGAN TALLMER

215 East 161st Street,
Bronx, New York 10451
May 19, 2007

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APPLICATION FOR A SEARCH WARRANT:

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COUNTY OF BRONX: CRIMINAL TERM: PART AR-1

CRIMINAL COURT OF THE STATE OF NEW YORK

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THE COURT: This is an application for a search warrant.

MS. SUSTREAN: ADA Sustrean.

THE COURT: Hl, Ms. Sustrean, how are

you? This is Officer Mater?

MS. SUSTREAN: Yes.

THE COURT: Raise your right hand,

please, officer, do you swear that the statement

you made in your affidavit as well those you are

about to make are the truth under the penalty of

perjury?

OFFICER MATER: Yes, I do.

THE COURT: Now is this based on your

personal observations, officer?

OFFICER MATER: Yes it is.

THE COURT: What is this, you state that

Boron stated in sum and substance that he believes

-- who is Boron?

OFFICER MATER: He is the individual

that is in the location, your Honor, that lives

there.

THE COURT: So what does that mean that

he stated in sum and substance that he, meaning,

Boron believes there is a semi-automatic fire arm

OFFICER MATER: Yes, your Honor.

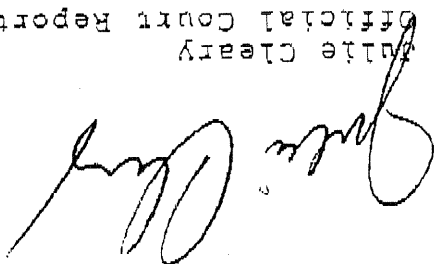
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1 THE COURT: I don't understand that an
2 occupant of the apartment who is supposedly is
3 growing marijuana believes that there is a
4 semi-automatic fire arm, how did you come in
5 possession of that information?
6 OFFICER MAIER: I asked if there was
7 anything in the apartment that could be harmful.
8 THE COURT: He was arrested?
9 OFFICER MAIER: Detained, not arrested.
10 THE COURT: Where is he right now?
11 OFFICER MAIER: Right now at the
12 station.
13 THE COURT: So at this point he is in
14 custody?
15 OFFICER MAIER: Yes, Your Honor.
16 THE COURT: Okay and he made a statement
17 to you that there was a semi-automatic?
18 OFFICER MAIER: Yes he did, Your Honor.
19 THE COURT: Right, well, there is
20 clearly first-hand knowledge here based on the
21 officer's observations as well the defendant's
22 admission so I am going to authorize the warrant.
23 Now, you are not asking for no-knock because the
24 apartments is already --
25 OFFICER MAIER: A frozen location.

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Certified to be a true and accurate
transcript of the stenographic minutes taken
within.

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THE COURT: Excuse me?
OFFICER MAIER: Frozen.
THE COURT: Okay, all right, then,
people, is there any reason to seal this?
MS. SUSKREAN: No reason, Judge.
THE COURT: All right then, officer, if
you could sign here.
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